

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Blake A. Hellquist,

Civil File No: 16-CV-779 (PAM/KMM)

Plaintiff,

v.

Andrii Pylypenko, Schwarz Trucking, Inc.  
and Progressive Preferred Insurance  
Company,

**DEFENDANT PROGRESSIVE  
PREFERRED INSURANCE  
COMPANY'S PROPOSED VOIR  
DIRE OUTLINE**

Defendants.

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COMES NOW Defendant Progressive Preferred Insurance Company, by and through its undersigned counsel, hereby submits the following proposed preliminary voir dire outline:

1. General Juror Background

- a. What is your marital status?
- b. What is your educational background?
- c. What is your employment status?
- d. What is the longest period you have worked in any job?
- e. What other jobs have you held?
- f. Who has ever started their own business?
- g. Who owns their own home?

2. Union Background

- a. Has any juror ever been a member of a union?
- b. Does any juror have a family member or friend that is or was a member of a union?
- c. Does any juror have any feelings, either positive or negative, towards unions in general?

3. Work Environment

- a. Has any juror had a job in the construction industry?
- b. Has or does any juror hold a job as a laborer?
- c. Has any juror had a job that involves physical labor?

#### 4. Legal/Medical Background

- a. Has any juror ever filed a grievance, complaint, or other legal claim of any kind?
- b. Has any juror ever been a party to a lawsuit?
- c. Has any juror had a family member or friend involved in a lawsuit?
- d. Has any juror ever been a party to a criminal proceeding?
- e. Has any juror ever testified in a legal proceeding or been a witness in a criminal or civil case?
- f. Has any juror ever wanted to file a lawsuit, but did not, or could not, for some reason?
- g. Has any juror previously served on a jury?
- h. Does any juror have an opinion regarding the number of lawsuits filed today?
- i. Does any juror have an opinion regarding money damages awarded in trials during the law few years?
- j. Has any juror or a member of his or her family been a lawyer, have legal training, or been employed by a lawyer or law firm?
- k. Has any juror or a member of his or her family been a doctor, chiropractor, physical therapist, or have medical training?

#### 5. Claims Background

- a. Has any juror or a member of his or her family ever been involved in an accident that led to a formal claim but not a lawsuit?
- b. Has any juror had a claim made against them or a family member for personal injury or property damage? What was the outcome?
- c. Has any juror or a member of his or her family or close friend been injured in any type of accident?
- d. Has any juror or member of his or her family been injured in a motor vehicle accident? What was the outcome?
- e. Has any juror or member of his or her family had an injury to his or her neck, shoulder, or back as a result of a motor vehicle or other type accident?

#### 6. Insurance Companies – Generally

- a. Does any juror or a member of your family have any thoughts or feelings about insurance companies, in general, which would influence your ability to decide this case fairly?
- b. Does any juror or a member of your family have any thoughts or feelings about Progressive Insurance Company, in particular, which would influence your ability to decide this case fairly?
- c. Has any juror worked for an insurance company? If so, what insurance company?
- d. Has any juror ever purchased insurance from Progressive Insurance Company?
- e. Has any juror ever had any problems, issues, or concerns with an insurance company, either Progressive or any other company, that would influence or affect their ability to decide this case fairly?

f. Has any juror had any contacts, experience, or dealings with an insurance company, either Progressive or any other company, that would influence your ability to decide this case fairly?

g. Is any juror aware of any other cases/trials that Progressive Insurance Company has been involved in, if any?

7. Media

a. Has any juror read any articles in the newspaper that has affected your opinion about insurance companies or Progressive Insurance Company in particular?

b. Has any juror read any article on the internet or social media that has affected your opinion about insurance companies or Progressive Insurance Company in particular in particular?

8. Corporations

a. Who feels lawsuits are an important tool to keep corporations in line?

b. Who feels that unless there was the threat of a lawsuit, corporations would take advantage of the "little guy?"

9. Lawsuit/Damages

a. In this case, Plaintiff Blake Hellquist bears the burden of proof. Does any juror have a problem not finding for the Plaintiff if he fails to meet his burden of proof?

b. Does the fact that Progressive Insurance Company has been sued and chose to come to court and defend itself rather than settle the case out of court, bother any juror?

c. Will any juror have any difficulty setting aside any feelings of sympathy and judging the case solely on the facts that are presented to you and the law on which the judge instructs you at the end of the case?

d. Who believes that if a lawsuit is filed, or that if a lawsuit makes its way all the way to a jury trial, the Plaintiff likely deserves a damage award?

e. Who believes in general, that people who are wronged are not fairly compensated - that they never get what they deserve?

10. Procedure

a. During the trial, the Plaintiff presents his case first. The defense cannot present evidence until after Plaintiff concludes his case. Will any juror have any difficulty in waiting to hear Progressive Insurance Company's side of the story before deciding who is right?

b. During trial the Plaintiff will likely present a greater number of witnesses than the Defendant. The defense is not required to put forth an equal or matching number of witnesses and is not required to put on any evidence or witnesses at all. Does any juror think that they may be influenced to decide this case one way or the other based upon the number of witnesses or the amount of evidence each side presents?

c. The Defendant is not required to call a witness employed by the company. No one from Defendant Progressive Insurance Company has been identified as a witness who be called to testify during trial. Does any juror think that they may be influenced to decide this case one way or the other if no one from Defendant Progressive Insurance Company is called to testify at trial?

11. Accident Scene

a. Is any juror familiar with the area where Plaintiff's alleged injury occurred – Highway 494 at Penn Avenue in Bloomington?

12. Witnesses/ Attorneys

- a. Is any juror familiar with any of the parties identified in this case?
- b. Is any juror familiar with any of the witnesses identified in this case?
- c. Is any juror familiar with any of the attorneys identified in this case?
- d. Is any juror familiar with the law firms involved in this case?

13. Other

- a. Given all that you know by now, and all that you have been asked to think about, is there any reason that any juror has not expressed already why you might feel uncomfortable sitting as a juror on this case?
- b. Does any juror, as you sit here right now, tend to favor one side over the other?
- c. Does any juror want to change a response or do you think we may have missed one of yours?

ARTHUR, CHAPMAN, KETTERING,  
SMETAK & PIKALA, P.A.

Dated: May 21, 2018

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